

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ISALAH PARRA, individually and as
parent and next friend of AP and EP, minor children,
and ROSEMARY PARRA,

Plaintiffs,

v.

No. 1:22-cv-181 LF/KRS

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, GEICO INSURANCE
COMPANY, LIBERTY MUTUAL INSURANCE
COMPANY, and OHIO SECURITY INSURANCE COMPANY,

Defendants.

ORDER QUASHING ORDER TO SHOW CAUSE

THIS MATTER is before the Court on its Order to Show Cause, (Doc. 7), entered June 14, 2022. The Court ordered Plaintiffs to show cause by June 24, 2022 why this removed case should not be dismissed as to Defendants GEICO Insurance Company, Liberty Mutual Insurance Company, and Ohio Security Insurance Company for failure to prosecute. Separately, the Court ordered Defendant State Farm Mutual Automobile Insurance Company to file copies of all records and proceedings from the state court case pursuant to Local Rule 81.1(a). (Doc. 8).

On June 21, 2022, Plaintiffs filed a response to the Order to Show Cause stating that Defendant GEICO was dismissed while this case was in state court, and that Defendants Liberty Mutual Insurance Company and Ohio Security Insurance Company filed answers to the Amended Complaint and asserted a counterclaim on January 28, 2022. (Doc. 9) at 1. Plaintiffs state that they answered Defendants' counterclaim on February 25, 2022, and ask the Court to set a scheduling conference. *Id.* Also on June 21, 2022, Defendant State Farm filed a Notice of Submission of State Court Pleadings and Filings. (Doc. 10). This document contains Plaintiff's

notice of dismissal as to Defendant GEICO, (Doc. 10-1 at 49-50); Defendants Liberty Mutual and Ohio Security's Answer and Counterclaim, (Doc. 10-1 at 51-90); and Plaintiffs' Answer to Defendants' Counterclaim, (Doc. 10-1 at 118-123).

Considering Plaintiffs' response to the Court's Order to Show Cause, and the filing of the state court record reflecting service on all remaining defendants, the Court is satisfied that Plaintiff has complied with the Court's Order to Show Cause.

IT IS THEREFORE ORDERED that the Order to Show Cause, (Doc. 7), is hereby QUASHED.

IT IS FURTHER ORDERED that the Clerk's Office shall amend the case docket to reflect: (1) the termination of Defendant GEICO (*see* Doc. 10-1 at 49-50); (2) the attorneys for Defendants Liberty Mutual Insurance Company and Ohio Security Insurance Company (*see* Doc. 10-1 at 89); and (3) the counterclaim filed by Defendants' Liberty Mutual Insurance Company, and Ohio Security Insurance Company (*see* Doc. 10-1 at 118-123). The Court will set this case for a Rule 16 scheduling conference after all parties are included on the case docket.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE